

Before the Board of Zoning Adjustment, D. C.

Application No. 11413 of Virginia Twynham pursuant to Section 8207.11 for a variance from the side yard requirements of the R-1-B District to permit a rear two-story addition as provided under Section 3305.1 at 6136 30th Street, N. W., Lot 111, Square 2335.

HEARING DATE: March 20, 1974

EXECUTIVE SESSION: Granted from the Bench

FINDINGS OF FACT:

1. The subject property is improved with a single-family dwelling in the R-1-B District.

2. The proposed addition will be on the same level as the first and second floors and would be composed of a bathroom, sewing room, and family room.

3. The R-1-B District requires 8 ft. side yards, whereas, the applicant's proposed side yards would be 6.23 ft. and 7.43 ft.

4. The existing dwelling provides a 5.9 ft. side and a 7.1 ft. side yard.

5. Both testimonial and documentary evidence of record indicates that the applicant needs the proposed addition because of health reasons. Letters of record from 3 physicians state that the applicant should not travel up and down stairs, therefore the addition would allow the applicant to carry-on the majority of her living functions on the first floor level of her residence.

6. No opposition was registered.

7. Neighbors support the applicants request.

8. The instant case was previously denied on October 3, 1973, and upon motion by the applicant, the Board reconsidered its decision on February 21 and granted a rehearing for the application on March 20, 1974.

CONCLUSIONS OF LAW:

Based on the above findings, the Board is of the opinion that the applicant has demonstrated a practical difficulty as defined in Section 8207.11 of the regulations. The Board

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is also of the opinion that the granting of this applicant will not have an adverse effect on the present or future development of the neighborhood.

ORDERED:

That the above case be GRANTED.

VOTE: 5-0

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: James E. Miller
JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: **MAR 22 1914**

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

Before the Board of Zoning Adjustment, D. C.

Application No. 11413, of Virginia Twynham pursuant to Section 8207.11 for a variance from the side yard requirements of the R-1-B District to permit a rear two-story addition as provided under Section 3305.1 at 6136 30th Street N. W., Lot 117, Square 2335.

HEARING DATE: July 18, 1973

EXECUTIVE SESSION: October 3, 1973

FINDINGS OF FACT:

1. Subject property is improved with a single family dwelling in a R-1-B District.
2. The proposed addition will be on the same level as the first and second floors and would house, a bathroom, sewing room and family room.
3. Under the Zoning Regulations the proposed addition should be set back 8 feet from the side lot line. The applicant intends to provide a back 6.23 feet side yard and a 7.43 side yard.
4. At no time did applicant show evidence of hardship as provided under the Zoning Regulations.
5. There was no opposition registered at the public hearing.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board is of the opinion that applicant has not satisfied the variance clause of the Zoning Regulations by proving that strict application of the Regulations will result in a practical difficulty or hardship to the applicant by reason of a unique or peculiar circumstance existing on the land or to the owner of the land. Therefore, the Board cannot GRANT the application.

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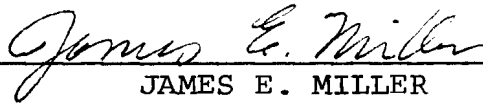
ORDERED:

That the request for a variance be DENIED.

VOTE: 3-1-0 Mr. Harps dissenting; Lilla Burt Cummings not voting.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER: DEC 19 1973
